



So Ordered.

Robert E. Littlefield, Jr.  
Chief, United States Bankruptcy Judge

Signed this 29 day of April, 2013.

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF NEW YORK**

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**IN RE:**

**Case No. 12-10016-1-rel**

**FORT CHRISTOPHER'S THOROUGHBREDS, LLC**

**ADEQUATE PROTECTION  
ORDER**

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**Debtor. Chapter 12**

Secured Creditor, Deere & Company ("Creditor"), having brought a motion for relief from the automatic stay, pursuant to 11 U.S.C. § 362(d), to permit Creditor to liquidate its security interest on personal property of Debtor, Fort Christopher's Thoroughbreds, LLC ("Debtor"), a JD 3720 Compact Utility Tractor, Serial #481192, a JD 59SBXM 59" Snowblower, Serial #050080 and a JD 300 CX Loader, Serial #030314 (together the "Collateral"), being held by the estate of Debtor in bankruptcy; and said Creditor having appeared thereon through its attorneys, Costello, Cooney & Fearon, PLLC, and Debtor's counsel, Richard Croak, Esq., having appeared in opposition to said motion;

**NOW**, upon reading the Notice of Motion, dated March 17, 2013, the Affidavit of Anthony R. Hanley, Esq., dated March 17, 2013, together with Exhibits A, B and C annexed thereto, in support of Creditor's motion and the Debtor by and through its counsel, Richard Croak, Esq., having reached a stipulated settlement of Creditor's motion, and due deliberation having been had thereon, it is

**ORDERED**, that the amount of \$252.80 shall be paid to Creditor by the 1st day of each month commencing May 1, 2013 and continuing on the 1st day of each month thereafter as adequate protection of Creditor's secured interest prior to the confirmation of any plan of reorganization of Debtor in the present bankruptcy- said sum being the monthly installment necessary to pay Creditor's secured claim of \$10,577.10 amortized over forty-eight (48) months with interest at seven (7) percent per annum, if timely made, shall be applied to the satisfaction of said claim accordingly; and it is further

**ORDERED**, in the event Debtor fails to make timely payment of the adequate protection payments as ordered in the decretal paragraph above, within ten (10) days after written notice of said default is given to Debtor's attorney by Creditor, an ex parte order, supported by an affidavit of default, unconditionally lifting the automatic stay of Section 362 of the Bankruptcy Code may be entered to permit Creditor to pursue a replevin action against the Collateral pursuant to the parties' contract and security agreement; and it is further

**ORDERED**, that in the event unconditional stay relief is granted under the decretal paragraph above, the estate's interest is reserved with respect to any surplus monies following any sale, if any; and it is further

**ORDERED**, that in the event unconditional stay relief is granted under the decretal paragraphs above, any surplus monies received upon any sale of the Collateral following a replevin action by Creditor shall be surrendered to the estate of the Debtor following an accounting to the estate for any such surplus after sale.

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